



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/569,873

09/04/2007

Wei Cheng

05-953-A5

9736

63572

7590

03/02/2011

MCDONNELL BOEHNEN HULBERT @ BERGHOFF LLP
300 SOUTH WACKER DRIVE
SUITE 3100
CHICAGO, IL 60606

EXAMINER

BIANCHI, KRISTIN A

ART UNIT

PAPER NUMBER

1626

MAIL DATE

DELIVERY MODE

03/02/2011

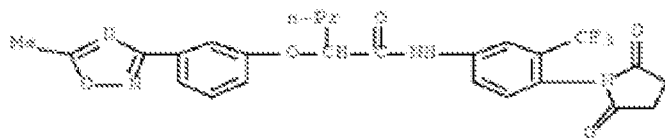
PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Arguments/Remarks

With regards to the 35 U.S.C. 102(b) rejection as being anticipated by WO 02/057236, Applicant argues that no structure can be crafted from the name 2-[3-(5-methyl-1,2,4-oxadiazol-3-yl)phenoxy]-N-[3-trifluoromethyl-4-(2,5-dioxopyrrolidin-1-yl)phenyl]-2-valeramide due to the recitation of 2-valeramide. This is not found to be persuasive because as pointed out in the teleconference on February 11, 2011, the STN search report (on page 546) discloses the following compound as being disclosed



in WO 02/057236: , which the reference has given the name “2-[3-(5-methyl-1,2,4-oxadiazol-3-yl)phenoxy]-N-[3-trifluoromethyl-4-(2,5-dioxopyrrolidin-1-yl)phenyl]-2-valeramide.” It is clear from the STN search report that the chemical name 2-[3-(5-methyl-1,2,4-oxadiazol-3-yl)phenoxy]-N-[3-trifluoromethyl-4-(2,5-dioxopyrrolidin-1-yl)phenyl]-2-valeramide disclosed in WO 02/057236 (page 50) was intended to represent the above chemical structure. Therefore, the rejection is maintained.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KRISTIN BIANCHI whose telephone number is (571)270-5232. The examiner can normally be reached on Mon-Fri 7am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph McKane can be reached on 571-272-0699. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1626

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kamal A Saeed/
Primary Examiner, Art Unit 1626

Kristin Bianchi
Examiner
Art Unit 1626
